

Department of the Army
Headquarters, US Army
Field Support Command
1 Rock Island Arsenal
Rock Island, IL 61299-6500

AFSC Regulation 690-8

1 Nov 04

Civilian Personnel

OVERSEAS TOUR EXTENSION AND REEMPLOYMENT RIGHTS

Applicability. This regulation applies to all US Army Field Support Command (AFSC) organizations, with the exception of Quality Assurance Specialist (Ammunition Surveillance) (QASAS) employees.

Decentralized printing. Local reproduction of this regulation is authorized.

Supplementation. Supplementation of this regulation is authorized.

Proponent. The proponent is Asst Chief of Staff for Human Resource Management, G-1. Users may send comments/recommendations to HQ AFSC (AMSFS-HRC), 1 Rock Island Arsenal, Rock Island, IL 61299-6500, e-mail afsc-ofc-hrc@afsc.army.mil.

Distribution. Approved for electronic distribution from the Pubs Web page at <http://www.osc.army.mil/im/rcdsmgt/pubs.htm>

Supersession notice. None.

FOR THE COMMANDER:



D. Scott Welker
Chief of Staff

<u>Contents</u>	<u>Paragraph</u>	<u>Page</u>
Purpose-----	1	2
References-----	2	2
Terms/Definitions-----	3	2
Responsibilities-----	4	4
General Guidelines-----	5	5
Procedures-----	6	6

1. Purpose. This regulation provides guidance and procedures for requesting overseas tour decisions and for making overseas tour extension decisions. It also reiterates the Department of Defense (DoD) policy to limit civilian employment in foreign areas to 5 years.

2. References.

a. Title 10 USC, Chap 81, Section 1586, Rotation of career conditional and career employees assigned to duty outside the United States.

b. DoD Manual 1400-25.M, Civilian Personnel Manual, Chapter 301, Overseas Employment.

c. DoD Manual 1400-25.M, Civilian Personnel Manual, Chapter 771, Administrative Grievance System.

d. DoD Directive 1400.6, DoD Civilian Employees in Overseas Areas.

e. DoD Directive 1400.25, DoD Civilian Personnel Management System.

f. DoD Instruction 1400.23, Employment of Family Members of Active Duty Military Members and Civilian Employees Stationed in Foreign Areas.

g. Memorandum, Office of the Assistant Secretary of Defense, 26 March 1997, subject: Five-Year Limitation on Foreign Employment.

h. AR 690-300, Civilian Personnel - Employment, Chapter 301.

i. Memorandum, Office of the Assistant Secretary, Manpower and Reserve Affairs, 3 Sep 04, subject Overseas Tour Rotation.

3. Terms/Definitions.

a. The following categories of employees are considered "exempt from rotation":

(1) Positions which require frequent contact with officials of the host nation and require detailed current knowledge of the culture, mores, laws, customer, or government processes of the host nation, which usually cannot be acquired

outside the host nation. There are relatively few of these positions. The position description for these positions must be annotated to indicate the position is exempt from rotation. Only the Commanding General, AFSC, has the authority to designate and approve these positions as exempt from rotation.

(2) Family Members - Employees who are family members (spouse, unmarried children, step-children, adopted children, foster children and those under legal guardianship of the sponsor or spouse who have not reached their 23rd birthday) of military or civilian employees stationed in the area, not on their own rotation agreement.

(3) Employees in the Senior Executive Service (SES).

(4) Employees employed continuously in a foreign area since 1 April 1966 without intervening continental United States (CONUS) residence. Also appropriated fund competitive service employees hired prior to 24 August 1988 at the GS-06 and below grade levels or a non-supervisory wage grade position and have continuously remained employed at or below those grades. These employees are also referred to as "grandfathered" employees.

b. Return rights (also referred to as reemployment rights).

(1) Career and career conditional employees in the competitive service previously employed in the US or non-foreign areas who accept an assignment outside the United States with their component shall be granted statutory return rights to a position in CONUS, based on the provisions of 10 USC 1586.

(a) Generally, employees must exercise the return rights within 5 years, unless granted an extension.

(b) Employees with reemployment rights to the same or higher grade will be required to exercise those rights prior to the end of their tour.

(c) Employees who do not have return rights or their return rights are to a lower grade may register in the Priority Placement Program (PPP) 6 months prior to the completion of their overseas tour.

c. PPP (Priority Placement Program). PPP is an automated, worldwide referral program used throughout the DoD. It is designed to minimize the adverse effects on employees caused by

actions such as reductions-in-force (RIF), base closures, realignments, consolidations, etc. It also provides placement opportunities to eligible non-displaced overseas employees to vacant positions at DoD activities in the United States.

d. Date of Estimated Return from Overseas (DEROS) Date - This includes the employee's original return date, plus any tour extensions that have been granted.

e. 5-Year date - This date reflects all overseas service on the current and previous tours which has not been interrupted by at least 1 year service in CONUS. Although this time may have been spent in other organizations prior to coming to work for AFSC/JMC, it all counts to the 5-year limit.

4. Responsibilities.

a. Supervisors are responsible for monitoring the DEROS dates for their employees to ensure timely tour extensions and to avoid the need to extensions beyond 5 years. Supervisors are expected to make timely tour extension decisions. Managers will identify employees needing tour decisions 10 months prior to their DEROS and make tour extension decisions or recommendations 8 months prior to the employees DEROS.

b. The approving officials for tour extension decisions are:

(1) Outside continental United States (OCONUS) commanders have the authority to extend employees up to 5 years.

(2) AFSC/JMC Deputy Commanders have approval authority for tour extensions beyond 5 years, based on the request from the OCONUS commander.

c. The AFSC/JMC Assistant Chief of Staff for Human Resource Management G-1, monitors the overseas tour extension database and tour dates, reviews requests for tour extensions beyond 5 years, and prepares packages for command group approval.

d. Employees are responsible for requesting extension of return rights if they are extended beyond 5 years (for Army employees) or for any extensions if they have return rights to other agencies. If not extended, employees must coordinate with their servicing Civilian Personnel Advisory Center (CPAC) to make arrangements for exercise of return rights or registration in PPP.

5. General Guidelines.

a. Employees do not have the entitlement to a tour extension.

b. A manager's decision not to extend an employee is excluded from the DoD administrative grievance procedure.

c. The primary consideration in tour extension decisions should be the organization's mission and requirements. All tour extensions must be in the best interest of the command.

d. Supervisors and approving officials should also consider the organization's ability to offer continued employment throughout the period of the extension, the impact of the tour extension on the employee's return rights, and the effect of continued employment in the same position and environment on the employee's training, professional development, and promotion potential.

e. Supervisors must ensure tour extension decisions are non-discriminatory and are made consistently. Non-extensions should not be used as punishment and should not be used in place of appropriate management practices.

f. Tour extension decisions should be made in a timely manner to allow the employee sufficient planning time, especially if they will be required to register in PPP. Employees may wish to try to find employment on their own prior to registering in PPP.

g. AFSC/JMC will support the DoD policy to limit civilian employment in foreign areas to 5 years. The command will limit the "over 5" employees to 25% of the AFSC OCONUS organization employees subject to rotation.

h. In most cases, careful planning and monitoring of DEROS dates will avoid the need to extend employees beyond 5 years.

i. Tour extensions beyond 5 years should be infrequent and limited to cases such as maintaining stability during a major project or restructuring, maintaining historical knowledge based on close DEROS dates of all employees in career field, or completing a major special project critical to the organization.

j. Overseas basing and funding shortfalls are factors that can be considered in addition to specific local and individual

impacts. However, funding shortfalls and basing issues will not be the final determinants for extensions.

k. If an extension is needed, supervisors should consider the amount of extension actually required. Cases when a 2-year extension beyond the DoD limitation of 5-years is needed should be extremely rare.

6. Procedures.

a. Tour extension approvals.

(1) Organizations will monitor DEROS dates so they can identify employees needing tour decisions 10 months prior to their DEROS. Tour extension packages must be managed so employees can be notified of the tour extension decision not later than 8 months prior to their DEROS.

(2) OCONUS commanders have the authority to approve tour extension up to 5 years. Extensions beyond 5 years require the approval of the AFSC/JMC Deputy Commanders.

(3) OCONUS commanders will submit requests for extensions of overseas tours beyond 5 years through their servicing CPAC to this command, ATTN: AMSFS-HRC, 1 Rock Island Arsenal, Rock Island, IL 61299-6500. Requests must contain the following information:

(a) Employee name.

(b) Date initial overseas tour began.

<1> Assignment date with command.

<2> Last full year of CONUS service, location, and organization.

(c) Employee's job title, occupational series, and grade.

(d) Length of requested extension and proposed overseas return date.

(e) Rationale for requiring tour extension, i.e., mission failures that will occur if tour extension is not approved.

(f) Statement included in the request that the employee has concurred.

(g) Statement from OCONUS AFSC/JMC commander supporting the action.

(h) Servicing CPAC verification of performance/conduct memorandum.

(4) AFSC G1 will determine overseas DEROS statistics regarding the number of employees who have been OCONUS more than 5 years for the requesting organization, theater, and for the overall command. These statistics will exclude all employees who are "exempt from rotation", as outlined in para 3a above. Employees already registered in PPP will also be excluded from the count, even if they are "over 5". AFSC G1 will prepare the extension package and staff with the command group. Any issues related to the tour extension will be coordinated with the OCONUS commander; then the tour extension package will be staffed with the command group. The Deputy Commanders, AFSC/JMC have been delegated approval authority.

c. Return rights

(1) Career or career conditional employees in the competitive service who were previously employed with the Department of Army in the United States are granted statutory return rights back to a position in the United States. The home organization may extend the return rights if employees are extended beyond 5 years but does not have any obligation to do so.

(2) Employees who have statutory return rights will have these return rights extended up to 5 years as required by statute. However, if employees are extended beyond 5 years, it is the employee's responsibility to request an extension of reemployment rights from their home organization. This coordination is required if the employee worked for AFSC/JMC in CONUS or for any other organization.

(3) Employees who come to work for Department of the Army from other agencies do not have a statutory entitlement to return rights but may have received them from their home organization. It is the employee's responsibility to request an extension of reemployment rights.